

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

Victor Bell,

Case No. 5:15 CV 127

Petitioner,

ORDER ADOPTING
REPORT AND RECOMMENDATION

-VS-

JUDGE JACK ZOUHARY

Michelle Miller,

Respondent.

This Court has reviewed the Report and Recommendation (“R&R”) of the Magistrate Judge filed June 4, 2015 (Doc. 12). The R&R recommends this Court deny Petitioner’s Motion for Summary Judgment (Doc. 10) without prejudice to any final adjudication of his underlying claims for habeas relief.

Under 28 U.S.C. § 636(b)(1), a party must serve written objections to the Magistrate Judge’s proposed findings and recommendations within fourteen (14) days of being served with the R&R, at which time this Court makes a *de novo* determination of those portions of the R&R to which objections were made. The failure to file objections within the time frame set forth in the statute constitutes a waiver of *de novo* review by the district court. *See United States v. Sullivan*, 431 F.3d 976, 984 (6th Cir. 2005); *Thomas v. Arn*, 474 U.S. 140, 149 (1985).

Petitioner’s deadline for filing objections has passed, and no requests for extension have been received. The R&R accurately states the facts and law, which this Court adopts in its entirety. Accordingly, Petitioner’s Motion for Summary Judgment is denied without prejudice to any final adjudication of his underlying claims for habeas relief.

IT IS SO ORDERED.

s/ Jack Zouhary
JACK ZOUHARY
U.S. DISTRICT JUDGE

July 8, 2015